

Notice of Allowability

Application No.

10/058,551

Examiner

Ronald Laneau

Applicant(s)

LOESER, MARTIN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/16/06.
2. ☒ The allowed claim(s) is/are 1-6,8 and 9 now renumbered as 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Richard R. Michaud on February 3rd, 2006.

The application has been amended as follows:

Delete claim 1 and insert the following for claim 1:

--1. (currently amended) A method for carrying out payment processes, in which:

a cash register transmits a payment demand wirelessly via a first link to a mobile device of a customer,

the mobile device checks the payment demand,

if the mobile device checking result is positive, the mobile device generates a payment instruction from the payment demand,

if the mobile device checking result is negative, no payment instruction is generated,

the mobile device transmits the payment instruction via a second link to a payment center,

the payment center checks the payment instruction,

if the payment center checking result is positive, the payment center sends a confirmation directly to the cash register via a third link,

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if the payment center checking result is negative, no payment confirmation is sent,
the cash register checks the payment confirmation
if the cash register checking result is positive, indicate said cash register checking result
and release goods to be paid for,
if the cash register checking result is negative, the goods are not released.--

In claim 8, line 2, after used as, delete “the” and insert --a-- and again after “used as”,
delete “the” and insert --a-- and in line 3, delete “interference” and insert --interface--

In claim 9, line 7, after “the”, delete “receiving” and insert --second--

Reasons for Allowance

2. Claims 1-6, 8 and 9 are allowed now renumbered as 1-8.

3. The following is an examiner’s statement of reasons for allowance:

None of the references, either singularly or in combination, teaches or even suggests the totality of combined elements as claimed:

As per claims 1-6 and 8, a method for carrying out payment process, in which a payment center checks the payment instruction, if the payment center checking result is positive, the payment center sends a confirmation directly to the cash register via a third link, if the payment center checking result is negative, no payment confirmation is sent, the cash register checks the payment confirmation and if the cash register checking result is positive, indicates said cash

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register checking result and releases goods to be paid for, if the cash register checking result is negative, the goods are not released.

As per claim 9, a cash register for cashless payment having the following features: a checking facility directly connected to the transmitting agent, the receiving agent and a releasing agent and wherein the checking facility receives the payment demand and the payment confirmation, checks the authenticity of the payment confirmation and also checks whether the payment confirmation matches the payment demand, and wherein the checking facility forwards the result of the checking facility to the releasing agent which outputs a message to an operating person via an output device or releases goods output.

The closest prior arts do not disclose the above limitations.

Smith et al (US 6,487,540) disclose a system and method for the generation, transmission, storage and manipulation of electronic receipts that communicate itemized purchase transaction information. The system comprises wireless vendor devices and wireless purchaser devices which transmit electronic receipts at a point-of-sale for documentation of a purchase transaction,

Hultgren (WO 98/47116) discloses tele/data communications network which facilitates payment/transfer from a customer financial institution to a merchant account of a merchant financial institution. The service node (TSN) acquires a merchant identifier and transaction amount from a customer mobile station, sends a transaction verification request message to both the customer mobile station and the merchant terminal.

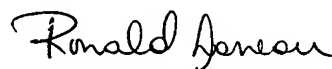
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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ronald Laneau
Examiner
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2/3/06